



# Department of Justice

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## **U.S., National Baking Company Reach Settlement to Reduce Stratospheric Ozone-Depleting Refrigerants**

WASHINGTON—In a settlement to reduce the release of ozone-depleting refrigerants into the atmosphere, a Chicago-based national baking company has agreed to stop using ozone-depleting refrigerants, the Justice Department and the Environmental Protection Agency (EPA) announced today.

Under an agreement filed in the federal district court in Chicago, Newly Weds Foods, Inc. will take steps to prevent the continued release of ozone-depleting refrigerants—such as chlorofluorocarbons, known as “HCFCs”—that destroy stratospheric or “good” ozone. Newly Weds will retrofit or retire all of its 39 industrial refrigeration equipment systems in the United States that are designed to hold more than 50 pounds of HCFCs with systems that use only non-ozone-depleting refrigerants by July 1, 2008. The company will also pay a civil penalty of \$125,000 for alleged past leaks of ozone-depleting refrigerants.

“Newly Weds has acted responsibly, not only to correct specific past violations, but to eliminate the use of potentially-damaging refrigerants in its operations,” said Sue Ellen Wooldridge, Assistant Attorney General for the Justice Department’s Environment and Natural Resources Division. “We are gratified that the actions Newly Weds has agreed to take will bring the company into compliance with EPA regulations and federal law.”

“Today’s settlement demonstrates this administration’s commitment to achieve the benefits envisioned by the Clean Air Act,” said Granta Y. Nakayama, EPA assistant administrator for the Office of Enforcement and Compliance Assurance. “We are pleased that after violating our ozone protection requirements, Newly Weds is now committed to a settlement that is good environmental policy and good business practice.”

HCFC refrigerants deplete the stratospheric ozone layer, and that allows dangerous amounts of cancer-causing ultraviolet rays from the sun to strike the earth. Production of some of these chemicals was stopped in 1995, and federal law strictly controls their use and handling.

This agreement—the third national settlement with an industrial bakery company—resolves a complaint alleging that Newly Weds violated EPA regulations regarding industrial refrigerant leak repair, testing, recordkeeping and reporting.

Newly Weds makes breading, frozen ice cream cakes, and other baked goods, as well as seasonings, batter, and capsicums (used for pickles, sauces, and peppers). The company owns and operates equipment that contains 39 industrial refrigeration systems at its eight facilities in the United States, located in Chicago, Illinois; Watertown Massachusetts; Cleveland, Tennessee; Gerald, Missouri; Horn Lake, Mississippi; Bethlehem, Pennsylvania; Springdale, Arkansas; and Modesto, California.

The consent decree will be subject to a 30-day public comment period and is available on the Department of Justice website at <http://www.usdoj.gov/enrd/open.html> and on the EPA website at <http://www.epa.gov/compliance/resources/cases/civil/caa/newlywedsfood.html>.

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